

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

ALEXANDER ANTHONY VELASQUEZ,

Petitioner,

v.

Civ. No. 23-0198 DHU/GJF

ATTORNEY GENERAL FOR  
THE STATE OF NEW MEXICO,

Respondent.

**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

Magistrate Judge Gregory Fouratt filed a Proposed Findings and Recommended Disposition (“PFRD”) on June 21, 2024, in which he recommended that (1) the Petition Under 28 U.S.C. § 2241 for a Writ of Habeas Corpus be denied for failure to exhaust appellate and administrative remedies; and (2) this case be dismissed *without* prejudice. ECF 11. The PFRD notified the parties of their ability to file objections no later than July 5, 2024 (fourteen days after filing of PFRD), and that failure to do so waived appellate review. *Id.* at 4.<sup>1</sup> Neither party filed objections to the PFRD and the time for doing so has now lapsed. Accordingly, the Court concludes that appellate review has been waived.

**IT IS THEREFORE ORDERED** that the PFRD [ECF 11] is **ADOPTED** and the Petition for Writ of Habeas Corpus is **DENIED WITHOUT PREJUDICE**. A final order entered concurrently herewith **DISMISSES** this case **WITHOUT PREJUDICE**.

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<sup>1</sup> Because Plaintiff receives service by mail, he was permitted to file objections to the PFRD by July 8, 2024. See Fed. R. Civ. P. 6(d). He has instead filed nothing even as of the date on which this Order is entered.



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HON. DAVID HERRERA URIAS  
UNITED STATES DISTRICT JUDGE